

Serial No. 10/069,732

ASA-1074

Amendment &amp; RCE filed July 13, 2007

Response to Final Office Action mailed February 13, 2007

**REMARKS****Pending Claims**

Claims 1-9, 12 and 13 have been cancelled without prejudice or disclaimer; and new claims 14-23 are pending in this application. No new matter has been added.

**Claim Rejections under 35 U.S.C. §112**

Claims 1-2, 7-9 and 12 have been rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The rejection is rendered moot by the cancellation of the claims, and new claims 14-23 have been written in compliance with 35 U.S.C. § 112, second paragraph.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1 and 12 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kaku et al (Kaku) or Ohta et al (Ohta) or JP 4-47512 (JP '512) and all further considered with JP 6-76307 (JP '307); Claims 2 and 3 are rejected under 35 U.S.C. §103(a) as being unpatentable over Kaku as relied upon above, further with its disclosure focusing upon Figure 13, and well known MR reproducing/sensing heads and further considered with JP '307; Claim 7 is rejected under 35 U.S.C. §103(a) as being unpatentable over the art as applied to claim 2 and further in view of JP 5-298737 (JP'737); and Claims 8 and 9 are rejected under 35 U.S.C. §103(a) as being unpatentable over the art as applied to claim 2 above, and further in view of Ohta. The rejections are rendered moot by the cancellation of claims 1-9, 12 and 13 without

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prejudice or disclaimer

New claims 14-23 are supported by the Specification and are patentable over the art of record, and in particular Kaku, Ohta, JP '512, JP '307 and JP'737 whether the references are considered individually or in combination with each other.

Claim 14 sets forth an information recording/reproducing apparatus for recording the information by forming an information pit determined by a magnetic domain on a track in a magnetic recording disk. The information pit is formed by applying a magnetic recording field and heating a certain portion of the track. Claim 14 also includes means for heating the information pit on the track, (Fig. 5), a magnetic flux detecting means for sensing the information pit on the track (64, Fig. 6), and a swing arm for holding and positioning the magnetic head to a desired portion on the track (65). Additionally, the claim sets forth that the tracking position of the magnetic flux detecting means to the track is controlled according to the radial position on the recording disk so that a longitudinal direction of the magnetic flux detecting means is coincident with an orientation of a direction of an outline of the information pit at the tracking position. See the magnetic flux detecting device 72 and the recording magnetic domain 71 in Figure 7 of the present application, for example. Also, Figure 19 shows information pits 204, 205 that have longitudinal directions that are different at the inner circumference and the outer circumference with respect to the track. See page 39, lines 8-21 of the Specification, for example.

Claim 18 is also directed to an information recording/reproducing apparatus. The claim requires means for heating the information pit by generating a heated area on the track, a magnetic head and a swing arm for holding and positioning the magnetic head. The magnetic head includes flux detecting means and an orientation

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of the shape of the heated area with respect to the track as controlled according to a radial position on the disk so that the orientation is coincident with a longitudinal direction of the magnetic flux detecting means according to the track.

Claim 23 is directed to an information recording/reproducing apparatus including an optical device for heating the information pit on the track, a magnetic read head for sensing the information pit on the track, a magnetic write head and a swing arm for holding and positioning a slider to predetermined positions on the track. The claim further includes that the optical device, magnetic read head and magnetic write head are installed on the slider. Figure 13 shows a slider 131. See page 23, lines 9-13, of the Specification, for example.

The remainder of the new claims are dependent claims and find support in the specification and drawings.

With respect to the Ohta reference, a thermal assist recording/reproducing apparatus is disclosed that includes an arcuate MR element. However, the reference does not disclose the claimed orientation of the shape of the heated area with respect to the track that is controlled according to a radial position on the disk so that the orientation is coincident with a longitudinal direction of the magnetic flux detecting means, as claimed in claims 14 and 18, for example. Further the reference does not disclose the combination of claim 23 or the dependent claims.

Kaku is relied upon for disclosing a magneto-optical recording apparatus for irradiating a planar optical spot as shown in Figure 16. However, the reference is similarly deficient as Ohta with respect to disclosing the claimed invention of claims 14- 23.

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JP '512 is relied upon for disclosing means for heating and applying a magnetic field, however the claimed combination is not rendered obvious by the reference when considered with any of the remainder of the applied art.

JP '307 is relied upon for disclosing MR reproducing/sensing heads. Accordingly, the reference is deficient in the same manner as Kaku, Ohta.

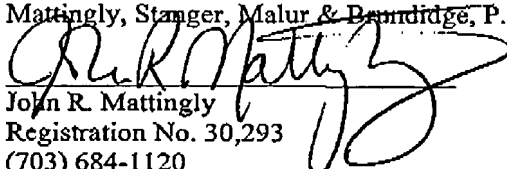
JP '737 is merely cited for disclosing the ability of having a test-write and test-read, and the reference does not disclose the claimed invention of claims 14- 23.

### Conclusion

In view of the foregoing, Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,

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